

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

FC 2003-014134

09/15/2010

HONORABLE ALFRED M. FENZEL

CLERK OF THE COURT
D. Kenney
Deputy

IN RE THE MARRIAGE OF
BONNI HOWARD

BONNI HOWARD
19777 N 76TH ST # 1239
SCOTTSDALE AZ 85255

AND

TYRONE HOWARD

TYRONE HOWARD
P O BOX 36492
PHOENIX AZ 85067-6492

CONCILIATION SERVICES-NE

MINUTE ENTRY

Courtroom 102 NE RCC

8:54 a.m. This is the time set for Return Hearing re: Petitioner's Petition to Modify Custody, Parenting Time and Child Support. Petitioner is present on her own behalf. Respondent is present on his own behalf.

A record of the proceedings is made by audio and/or videotape in lieu of a court reporter.

Discussion is held.

Pursuant to matters presented,

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IT IS ORDERED that both parties shall separately attend and complete a High Conflict Resolution class within 60 days of the date of this order. Based on this order you will be registered and notified by mail of the date/time/location of the class. If you have any questions regarding the class to which you have been assigned please call 602-506-6124. A **\$50** fee is required to attend the class. Please present the instruction form or this Court Order with payment at any Clerk of Superior Court filing counter at least 5 days prior to your scheduled class. Each party must bring a copy of the payment or deferral receipt, or a confirmation number of a telephonic transaction to class to be admitted.

WARNING

IF YOU APPEAR LATE OR ATTEMPT TO ATTEND THE CLASS WITHOUT CONFIRMATION OF PAYMENT (AS DEFINED ABOVE) YOU WILL BE TURNED AWAY FROM THE CLASS. IF YOU FAIL TO ATTEND THE CLASS OR ARE TURNED AWAY, YOU MAY BE REQUIRED TO PAY A \$100 NO SHOW FEE. IF YOU CANNOT ATTEND FOR ANY REASON, YOU MUST REQUEST AND BE GRANTED PERMISSION TO RESCHEDULE YOUR ATTENDANCE AT LEAST 24 HOURS BEFORE THE SCHEDULED CLASS. PLEASE CALL THE NUMBER LISTED ABOVE IF YOU NEED TO REQUEST TO RESCHEDULE YOUR ATTENDANCE.

IT IS FURTHER ORDERED the parties shall participate in a Parenting Conference. The parties will be advised by separate minute entry of the name and telephone number of the Parenting Conference Provider and other relevant information regarding the Parenting Conference. The parties shall comply with all instructions and directives issued by the Provider.

IT IS FURTHER ORDERED that immediately following this hearing each party is directed to pay the **\$300 per party** fee at the Clerk of the Court filing counter. Forms to request a fee deferral are available at the filing counter.

WARNING

IF YOU FAIL TO APPEAR AT THE PARENTING CONFERENCE AS ORDERED, YOU MAY BE REQUIRED TO PAY A \$100 NO SHOW FEE. IF YOU CANNOT ATTEND, YOU MUST REQUEST AND BE GRANTED PERMISSION FROM THE JUDGE IN YOUR CASE TO RESCHEDULE THE CONFERENCE AT LEAST THREE FULL COURT DAYS BEFORE THE CONFERENCE. IF AN AGREEMENT IS REACHED PRIOR TO YOUR APPOINTMENT DATE, YOU MUST SUBMIT A REQUEST TO THE JUDGE TO VACATE THE CONFERENCE AND WAIVE THE FEE IN ORDER TO AVOID FEE COLLECTION.

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IT IS FURTHER ORDERED appointing a Parenting Coordinator in this matter, with the terms and conditions of the appointment to be more fully set out in a separate minute entry order. The parties shall attempt to agree upon a person to be appointed by the Court. Absent agreement, each party shall select three names of Court-approved mental health professionals and submit the list of six names to the Court for selection by **September 24, 2010**.

A roster of Court-approved mental health professionals can be found on the Court's website: <http://www.superiorcourt.maricopa.gov> under Family Court Rosters; Behavioral Health Service Provider Roster.

IT IS FURTHER ORDERED setting Evidentiary Hearing re: Petitioner's Petition to Modify Custody, Parenting Time and Child Support on **February 7, 2011 at 1:30 p.m.** (time allotted: 1 hour), in this Division.

Honorable Alfred M. Fenzel
Maricopa County Superior Court
Northeast Regional Court Center
18380 N. 40th St
Courtroom 102
Phoenix, AZ 85032

The parties and counsel are directed to meet and confer regarding the outstanding issues in an attempt to settle this matter.

Pursuant to Rule 16(h), Arizona Rules of Civil Procedure, each party will be allowed 1/2 of the available time to present all direct, cross, redirect examination and any argument.

JOINT PRE-HEARING STATEMENT:

IT IS FURTHER ORDERED that the parties shall file and provide this Division with a copy of a Joint Pre-hearing Statement pursuant to Rule 6.8, Local Rules of Practice--Maricopa County (Family Court Cases), no later than 5 days prior to the hearing.

IT IS FURTHER ORDERED that the Joint Pre-hearing Statement shall include the following attachments:

1. A current Affidavit of Financial Circumstances completed by each party together with a written statement as to whether the parties stipulate that the affidavits of both parties may be

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considered as testimony by the court as if marked as exhibits and entered into evidence pursuant to *In Re Marriage of Kells*, 182 Ariz. 480, 897 P.2d 1366 (App. 1995).

2. A current Parent's Worksheet for Child Support Amount completed by each party pursuant to the Statewide Child Support Guidelines.

3. If there are disputed custody, access or visitation issues, a specific proposal for custody and visitation by each party.

IT IS FURTHER ORDERED that the failure of counsel or any party to appear at the time of hearing, or to timely present the Joint Pre-hearing Statement in proper form, including each and every attachment required, shall, in the absence of good cause shown, result in the imposition of any and all available sanctions pursuant to Rule 16(f), Arizona Rules of Civil Procedure and Local Rules 6.2(e) and 6.9(b), including proceeding to hear this matter by default based upon the evidence presented by the appearing party.

EXHIBITS:

IT IS ORDERED that any exhibits to be used at the hearing shall be delivered to the Clerk of this Division **five (5) Court business days prior to the hearing**. The parties shall also provide the adverse party and the Court itself with a separate copy of all exhibits. Please deliver the exhibits to a division staff member to ensure that they are received by the division clerk. Please do not fax exhibits. Please do not attach the exhibits to any other document or pleading.

IT IS FURTHER ORDERED that the parties shall indicate in the Joint Pre-hearing Statement which exhibits they have agreed will be admissible at hearing as well as any specific objections that will be made to any exhibit if offered at hearing which is not agreed to be admitted. Reserving all objections to the time of hearing will not be permitted. At the time of hearing all exhibits that the parties have agreed will be admitted and all exhibits for which no specific objection is stated in the Joint Pre-hearing Statement shall be summarily admitted.

SETTLEMENT:

Counsel and the parties are reminded of their obligation to give prompt notice of any settlement to the Court as required by Rule 5.1(c), Arizona Rules of Civil Procedure.

9:06 a.m. Matter concludes.

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All parties representing themselves must keep the Court updated with address changes.
A form may be downloaded at: <http://www.superiorcourt.maricopa.gov/SuperiorCourt/Self-ServiceCenter>.